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TO RUEHC/SECSTATE WASHDC IMMEDIATE 0297  
INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE  
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RUEHBJ/AMEMBASSY BEIJING 2304  
RHEFDIA/DIA WASHDC  
RUEKJCS/OSD WASHDC  
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RUEKJCS/SECDEF WASHDC  
RUEKJCS/JOINT STAFF WASHDC  
RUEHGV/USMISSION GENEVA 0726  
RUEHVEN/USMISSION USOSCE 2708  
RUCNDT/USMISSION USUN NEW YORK 2091  
RUEHNO/USMISSION USNATO BRUSSELS BE  
RUEHBS/USEU BRUSSELS  
RUEHLMC/MILLENNIUM CHALLENGE CORP  
RUMICEA/USCENTCOM INTEL CEN MACDILL AFB FL

C O N F I D E N T I A L SECTION 01 OF 02 BISHKEK 001304

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DEPT FOR SCA/CEN

E.O. 12958: DECL: 10/18/2017

TAGS: [PGOV](#) [PREL](#) [MARR](#) [KG](#)

SUBJECT: BAKIYEV DISSOLVES PARLIAMENT AFTER NEW  
CONSTITUTION "APPROVED" IN REFERENDUM

REF: BAKIYEV 1296

BISHKEK 00001304 001.2 OF 002

Classified By: Amb. Marie L. Yovanovitch, Reasons 1.4 (b) and (d).

11. (SBU) SUMMARY: Kyrgyzstan's Central Election Commission announced that, based on preliminary results, 75% of eligible voters approved a new constitution and electoral code in the October 21 referendum. The CEC claimed that nationwide turnout was over 80%, but local observers disputed that figure and reported numerous instances of ballot-box stuffing and inflated voter counts. The CEC expects to announce final results late on October 23.

12. (SBU) On October 22, President Bakiyev dissolved the parliament and said he would announce new parliamentary elections once the new constitution comes into effect. In the decree dissolving parliament, Bakiyev claimed that the parliament had created an insurmountable crisis by interfering with the independence and functioning of the Constitutional Court. (Note: In September, the parliament had tried to rescind its earlier approval of three Constitutional Court justices, but a district court on October 11 rejected the parliament's action, allowing the three justices to keep their seats. End Note.) END SUMMARY.

Light Turnout Observed, Heavy Turnout Claimed  
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13. (SBU) Kyrgyzstan held a nationwide referendum October 21 on a new constitution and new electoral code. Under the Soviet-era law on referenda, the measures had to obtain the approval of over 50% of Kyrgyzstan's 2.7 million registered voters in order to pass. Several thousand domestic observers, representing political parties and non-partisan organizations, monitored the voting. Over 130 international observers, including official SCO and CIS delegations, participated. The OSCE did not have time to mount a large international observation effort, but had four people

observe. The Embassy sent out 11 roving teams to Bishkek and other regions of the country.

14. (C) Throughout the day, independent monitors and embassy staff consistently reported seeing very light turnout of actual voters in most precincts; they also reported numerous violations. Observers reported instances of ballot-box stuffing, inflated voter participation figures, and multiple voting by individuals. Embassy monitors witnessed individuals pulling scores of ballots out of their jackets and stuffing them into the boxes. In many precincts, domestic monitors conducted parallel counts of the number of voters, and they reported large discrepancies between their voter tallies and those of the precinct election commission (PEC) staff. Embassy observers noted several instances of reported heavy voting during periods when they were away from a precinct, but only a trickle of voters during the time they were present at the precinct. There were also credible reports of pressure by election officials against domestic observers, including removing observers from some stations.

15. (SBU) The CEC claims that turnout was over 80% of registered voters, and that preliminary results show that the new constitution and electoral code were approved by over 75% of the registered voters. Independent estimates of voter participation varied, but were considerably lower than the official figures. One monitoring group, Taza Shailoo ("clean election" in Kyrgyz), said that their parallel tabulation in approximately one-third of all precincts indicated a turnout of 40-45%. Other estimates put the turnout as low as 25-30%.

16. (SBU) On October 22, the head of the OSCE Center in Bishkek issued a statement expressing concern about reports of irregularities during the referendum, including "massive

BISHKEK 00001304 002.2 OF 002

ballot stuffing" and "obstruction of domestic observers by local authorities." On October 23, the Embassy issued a statement sharing the OSCE's concerns about irregularities and declaring that the referendum did not meet international standards. CEC member Damir Losovskiy said that the general prosecutor's office had received only two official complaints regarding irregularities, but most other complaints were resolved at the precinct level. Not surprisingly, the SCO and CIS delegations declared that the referendum had been "free and open," and that there were only "minor violations of a technical nature" that did not affect the results.

Bakiyev Dissolves Parliament

17. (SBU) On October 22, acting under provisions of the 2003 constitution, President Bakiyev dissolved the parliament. (Note: Under the new constitution, the president's ability unilaterally to dissolve parliament is more limited. End Note.) Bakiyev claimed that he had been forced to act because the parliament had created an "insurmountable crisis" between the legislative and judicial branches. In September, following the Constitutional Court's annulment of the November and December 2006 versions of the constitution, the parliament passed a resolution rescinding its earlier approval of three Constitutional Court justices. The justices challenged the parliament's action in court, and on October 11, a district court ruled in the justices' favor, allowing them to keep their seats. Nevertheless, Bakiyev claimed that the parliament's action had threatened the independence of the judiciary and had interfered with the functioning of the Constitutional Court. Therefore, to resolve this crisis, he dissolved the parliament. Bakiyev said that he would announce new parliamentary elections once the new constitution comes into effect. (Note: We understand that the new constitution may be signed and in effect this week. The new parliament will consist of 90 members, elected on a proportional basis by party lists. Elections are likely to be called for December, with December

16 a possible date. End Note.)

Comment

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18. (C) No one outside of the Kyrgyz government seems to believe the reported turnout of 80%. Local election officials clearly were under a lot of pressure to produce high turnout figures for the referendum, and they resorted to a range of tactics -- including blatant ballot-box stuffing -- to reach their quotas. Whether out of apathy or just a desire to move forward, no one appears to be ready to challenge the results of the referendum, despite the irregularities, although it is likely that the opposition is keeping book and will raise these issues when they believe they can make best use of them. Similarly, (former) members of parliament and the political opposition are accepting the dissolution of parliament, despite the questionable legal basis for the move. Instead, as it has been since Bakiyev's September 19 announcement of the referendum, their attention is squarely focused on the expected parliamentary elections and securing a place on a party list. Most expect that there will be far more scrutiny of the parliamentary elections, as the elites will seek to defend their interests.  
YOVANOVITCH